

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LLOYD JONES, ET AL.,

Plaintiffs,

- against -

THE CITY OF NEW YORK,

Defendant.

17-cv-7577 (JGK)

ORDER

JOHN G. KOELTL, District Judge:

The Court transmits this letter to counsel for the plaintiffs' class and requests a response by **February 28, 2024**, concerning how the request was handled.

SO ORDERED.

Dated: New York, New York
February 14, 2024



John G. Koeltl
United States District Judge

February 5, 2024

The Honorable John G. Koeltl
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: ALLEN PROCTOR (Class Member of Jones v NYC Department of Corrections,
17 Civ. 7577 (Dec. 1, 2022)/NYC Bail Settlement 7817), CLAIMANT ID. # 0000654692,
Claim Registration Code: 4ZKPAH55P; S.S. # 096-48-0048

Your Honor:
I hereby respectfully seek this Court's relief based on major anomalies and questionable practices which resulted in the miscalculation of the total number of specific occurrences of overdetention and the subsequent undercompensation relative to the above-captioned matter of Jones v NYC Dept. of Corrections, 17 Civ. 7577/NYC BAIL SETTLEMENT-7817. Moreover, judicial review and relief is sought at this time based on the lack of response to claimant's prior timely made objections to both the Administrator and counsel.

Specifically, as seen from the attached FOIL request that I recently sent to the Department of Corrections, I am presently seeking to definitively determine and identify the true, exact, and actual number of occurrences that I was overdetained between October 4, 2014 and October 21, 2022. Unfortunately, and to my extreme prejudice, it appears that counsel and/or others was either cognizant of the actual amount of such occurrences -- and/or ineffective in identifying same -- but still, nevertheless, decided to process the claim for one single occurrence which ultimately resulted in my unfair undercompensation (since I recall such occurrences occurring on at least ~~FOUR~~ OCCASIONS).

Notably, my particular claim made both explicit and implicit reference to the fact that, "I reasonably believe that I was released on bail(s) and at time(s) between October 4, 2014 and October 21, 2022" (emphasis added) (see attached claim). I therefore had clearly informed counsel of multiple occurrences of overdetention.

My many phone calls, as well as my letters, including the letter dated January 7, 2024, to the Administrator went unanswered (see copy attached). In addition, my attempts to obtain relief by stating same on counsel's (Ms. Debra Greenberger, Esq.) voicemail did not result in any response. Similarly, my attempt to obtain relief from counsel at Emery Cell Abady Brinkerhoff Ward Maozel, LLP proved to be unsuccessful.

It is respectfully submitted that based on my endeavors, which occurred prior to and after ~~December~~ 12, 2023, as well as the aforesaid grounds and reasons, the this Court cause a review and just and proper compensation to occur.

Respectfully yours,

Allen Proctor

Allen Proctor
1074 Washington Avenue, Apt. 4B
Bronx, NY
10456

January 28, 2024

ATTN: FOIL OFFICER
MANHATTAN DETENTION CENTER URGENT LEGAL MATTER
New York City Department of Corrections
125 White Street
New York, NY
10013

Re: FOIL REQUEST FOR SPECIFIC INFORMATION RELATIVE TO EX-DETAINEE'S PERIODS
OF INCARCERATION BETWEEN OCTOBER 4, 2014 AND OCTOBER 21, 2022, WHEREAS DETAINEE
WAS RELEASED ON VARIOUS BAITS DURING SUCH PERIOD

Dear FOIL OFFICER:

Pursuant to the provisions of Article 6 of the
Public Officers Law (Sec. 87(2-b)), which is also known as the Freedom of Informa-
tion Law ("FOIL"), I hereby request to be afforded the following specific
information and data:

1. Information, containing dates, relative to the specific
ALLEN PROCTOR (NYSD # 2721483J), was released on bail by the
NEW YORK CITY DEPARTMENT OF CORRECTIONS during the period of time between,
and inclusive of, October 4, 2014 and October 21, 2022.

2. Such similar information, as stated in the above paragraph, as had
any be applicable to ALLEN PROCTOR whenever he used an alias name and/or
was identified by another or different NYSD number during such period of time.

Appreciated,

Your prompt assistance in this matter would be very much

Respectfully yours,

Allen Proctor

Allen Proctor
1074 Washington Avenue, Apt 4b
Brooklyn, NY
11248

cc: The Hon. John C. Kelly

February 9, 2023

NYC Bail Settlement - 7817
P.O. Box 2654
Fairbairn, NY
55021-8654

Dear Sir:

Please find enclosed a Claim Form for filing in reference to the NYC Bail Settlement - 7817. I think it is reasonably to believe that I was released on bail at a time(s) between October 7, 2014 and October 2, 2022, and that such release was affected by a delay(s) of at least three (3) hours after the bail was paid.

Respectfully yours,

Atty. General

Atty. General

1074 Washington Ave (Apt 413)

Brooklyn, NY

10000

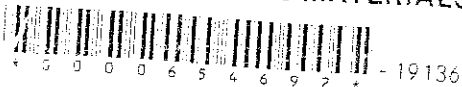
cc: File

NYC BAIL SETTLEMENT - 7817

PO BOX 2554

ARJULT MN 55021-9654

IMPORTANT LEGAL MATERIALS



- 19136

ALLEN PROCTOR
1074 WASHINGTON AVE APT 4B
BRONX NY 10456

FOR OFFICIAL USE ONLY

01

Page 1 of 1

Claimant ID #:

0000654692

Claim Registration Code:

4ZKPAH55P

CLAIM FORM

If you were in the custody of the NYC Department of Corrections and released on bail at least once between October 4, 2014 and October 21, 2022, and your release may have been delayed at least 3 hours after your bail was paid, you may submit a claim to request a payment of \$3,500 per instance. Please submit this Claim Form only if you believe you fit this description. The Claim Form may be completed and submitted online at the Settlement Website: www.NYCBailSettlement.com, or you may fill out, sign, and submit this Claim Form by mail to the address at the top of the page.

The Claim Form must be submitted online or mailed and postmarked by June 6, 2023.

If you have questions about this claim form, please call 1-833-472-1994. Questions specific to how these payments may affect your government benefits, please call 1-800-674-9756.

CLAIMANT IDENTIFICATION

Name: Allen ProctorDate of Birth: 10-50-1956 Social Security Number or I-TIN: 096480045

Street Address (if different from above): _____

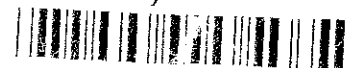
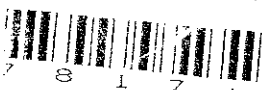
City/State/Zip Code: _____

TAX IDENTIFICATION NUMBER

The payment you receive will be reported to the Internal Revenue Service (IRS). You may need to pay income taxes on it. If you do not provide your Social Security Number or I-TIN, your claim will be processed and the administrator is required by law to withhold a percentage of your payment for back-up withholding. To avoid back-up withholding, please provide your Social Security Number or I-TIN in the Claimant Identification Section. The Settlement Administrator cannot provide tax advice.

ACKNOWLEDGEMENT AND SIGNATURE

I declare that I was released on bail from a jail run by the New York City Department of Correction on at least one occasion between October 4, 2014 and October 21, 2022. I reasonably believe that it may have taken at least three (3) hours after my bail was paid before I was released from custody.

Signature of Claimant: Allen ProctorDate: February 9, 2023

January 7, 2024

Administrator
Rust Consulting, Inc.
NYC Bm/ Settlement-7817
P.O. Box 2654
Mn. Mn. 55021-9654

Chinaust ID #000654692
China Registration Id: 4ZKPHH55P
S.S.#: 096-48-0045

Re REQUEST FOR ADDITIONAL PAYMENT FOR EACIT AND
LIFE INSURANCE OF NUMBER OF QUALIFYING OCCURRENCES
OF RECEIVING PAYMENT TO THE INSURANCE MATTER OF
JOES V NYC DEPT. OF CORRECTIONS

Dear Sirs:

My timely request for compensation for each and
every time I was overdetained in regard to my release on bail with
error, which resulted in my being under-compensated. Specifically,
I was only compensated for ONE (1) qualifying incident of occurrence, which
resulted in a payout of \$3300.00. In actuality, however, between the
periods of October 4, 2014 and October 21, 2023, I was subjected
to overdetention on at least four (4) occasions during the bail bond
process.

My initial complaint dated February 9, 2023, specifically stated
that I reasonably believe that I was released on bail at a time
between October 7, 2014 and October 21, 2023. I sought compensation
for multiple occurrences. Presently, although I do not have the exact
times or dates of such occurrences, such dates can surely be identified by a
diligent search by your office. However, I, too, continue to seek more diligent
and I wish to preserve my right to sue and obtain full justice of course.

Any prompt assistance regarding this matter would be
greatly appreciated.

Respectfully Yours

Joe Ruston

Allen Proctor
1074 Washington Avenue, Apt. 413
Brooklyn, NY
10456

cc: File